

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JESSICA BARTON, individually on behalf
of herself and all others similarly situated,

Plaintiff,

v.

PRET A MANGER (USA) LIMITED,

Defendant.

Case No. 1:20-cv-04815 GHW-GWG

Hon. Gregory Woods

**DEFENDANT’S NOTICE OF MOTION TO DISMISS OR,
IN THE ALTERNATIVE, TO STRIKE WARRANTY BASED CLASS ALLEGATIONS**

PLEASE TAKE NOTICE that the undersigned attorneys for Defendant Pret A Manger (USA) Limited (“Pret”) in the above-referenced matter request oral argument and will move this Court, before the Honorable Judge Gregory Woods, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., New York, NY 10007, on a date and time designated by the Court, for an Order, pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(f), dismissing with prejudice, in whole or in part, Plaintiff’s First Amended Complaint, or in the alternative, striking Plaintiff’s warranty-based class allegations.

Dated: October 16, 2020

Respectfully submitted,

CROWELL & MORING LLP

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Pro Hac Vice Forthcoming

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